

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
SOUTHERN PACIFIC COMPANY for an order )  
authorizing the construction of a )  
spur track at grade across Santa Fe )  
and Fruitland Avenues, and across the )  
tracks of the Los Angeles Railway )  
Corporation, in the City of Vernon, )  
County of Los Angeles, State of )  
California. )  
Application No. 1478.

In the Matter of the Application of )  
The Los Angeles Junction Railway )  
Company for permission to construct )  
its Railroad across certain public )  
streets, Railroad tracks and Street )  
Railway tracks. )  
Application No. 10649.

Gibson, Dunn & Crutcher, by S. K. Haskins and  
E. F. Prince, for Applicant, The Los Angeles  
Junction Railway Company.

M.W. Reed, for The Atchison, Topeka and Santa  
Fe Railway Company.

A. F. Halsted and E. B. Ellison, for Los Angeles  
and Salt Lake Railroad Company.

E. G. Weeks, for Los Angeles Railway Corporation.

George A. Damon and Hugh Pomeroy, for Regional  
Planning Commission of Los Angeles County.

E. E. East and A. E. Vernon, for Los Angeles  
County Grade Crossing Committee.

D. DeCosta, Deputy County Counsel, for Los Angeles  
County.

Frank Karr, for Applicant, Southern Pacific Company.

F. E. Towner, of Winston, Strawn & Shaw, Chicago,  
associate counsel for Los Angeles Junction Railway  
Company.

Leonard Merrill, for Miss Marian Dodson, landowner  
in Vernon District.

SEORE, COMMISSIONER:

O P I N I O N

In Application No. 10649 authority is sought to construct

a railroad at grade across certain other railroads and public streets in, and in the vicinity of Vernon, Los Angeles County, California.

A public hearing was conducted on Application No. 10649 before Examiner Williams at Los Angeles on January 14, 1925, at which time the matter was submitted for decision. The Commission, upon considering the evidence presented, reached the conclusion that the record in that proceeding was not comprehensive enough to give due consideration to the important issues involved, and therefore in order to obtain additional testimony, made its order on April 6, 1925 setting aside the submission and opening the matter for further consideration. Subsequent to a further hearing on April 15th, the Commission on April 22, 1925 made an order re-opening for hearing and further determination the above entitled Application No. 1478, and it was further provided that these two matters be consolidated for the purpose of hearing and determination. Further hearings were held on the consolidated proceedings on May 6 and June 10, 1925.

For convenience, the various railroads involved herein will hereinafter sometimes be referred to as follows: Los Angeles Junction Railway Company, as the Junction Railway; The Atchison, Topeka & Santa Fe Railway Company, as the Santa Fe Railway; the Los Angeles and Salt Lake Railroad Company, as the Salt Lake Railroad; Pacific Electric Railway Company, as the Pacific Electric; Southern Pacific Company, as Southern Pacific; and Los Angeles Railway Corporation, as the Los Angeles Railway.

The Los Angeles Junction Railway Company, Los Angeles Union Stock Yards and Central Manufacturing District are all owned and operated by the same interests. The site of the Los Angeles Union Stock Yards and the Central Manufacturing District comprises

an area of about 300 acres of land in the form of a triangle, bounded on the northeast by the Los Angeles River, on the south by Fruitland Avenue and on the west by Downey Road, all in the unincorporated portion of Los Angeles County. Applicant has installed a system of tracks within this area to afford railroad service to the various industries now located within the Central Manufacturing and to the Union Stock Yards. This track system has a total length of over seven miles and connects with the Salt Lake Railroad (San Pedro branch) on Downey Road south of the Los Angeles River, and with the Pacific Electric (Whittier line) near Walker Street, a short distance west of the Los Angeles River. The Santa Fe Railway has switching privileges over the Salt Lake Railroad line connected to applicant's tracks. The Southern Pacific is the only railroad reaching Los Angeles that does not have direct access to applicant's track system and the line proposed herein would afford a connection with that railroad. Under present arrangements stock shipments over Southern Pacific lines destined for the Los Angeles Union Stock Yards are delivered to the rails of the Salt Lake Railroad at a point on the east bank of the Los Angeles River near Alhambra Street in the City of Los Angeles. Final delivery to the Stock Yards is made by the Salt Lake Railroad.

Applicant in Application No. 10649 plans to develop a system of interchange or transfer tracks between its line and the other connecting railroads. This interchange yard is to be located on the south bank of the Los Angeles River and east of Downey Road, and it is proposed that the various railroads make deliveries to the interchange yard.

The track, which it is proposed to construct at this time, is desired to serve two purposes:

1. To facilitate industrial development of that portion

of Vernon between Downey Road and Santa Fe Avenue located north of Fruitland Avenue, by giving this area the advantages of a neutral belt switching service.

2. To provide a physical connection between the tracks of Junction Railway and the Southern Pacific.

The district traversed by the line proposed in Application No. 10649 is strictly industrial, but is only partially developed at this time. Applicant proposes to operate its railroad as an industrial switching belt line, offering the various industries located along its tracks service on equal terms from each of the three transcontinental railroads reaching Los Angeles.

The line of the proposed railroad extends along Fruitland Avenue from a connection with Southern Pacific's spur at a point about 25 feet east of Santa Fe Avenue, to a point about 500 feet east of Pacific Boulevard, thence in a northerly direction to a point 280 feet south of Vernon Avenue and about 2000 feet west of Boyle Avenue, thence east parallel to and 280 feet south of Vernon Avenue to a connection with applicant's tracks at a point about 250 feet east of Downey Road, a total length of approximately two miles. All of the proposed line, with the exception of about 300 feet east of the west line of Downey Road, is in the City of Vernon.

It is proposed by applicant that this connection to the Southern Pacific will cross the following public highways at grade:

1. The intersection of Fruitland Avenue and Malabar Street.
2. The intersection of Fruitland Avenue and Pacific Boulevard.
3. The northerly half of Fruitland Avenue at a point about 500 feet east of Pacific Boulevard.
4. Forty-sixth Street at a point about 1100 feet east of Pacific Boulevard.
5. Boyle Avenue at a point 280 feet south of Vernon Avenue.
6. Magnolia Avenue at a point 280 feet south of Vernon Avenue.

7. Downey Road at a point 280 feet south of Vernon Avenue.

It is also proposed to cross the following railroads and street railroad at grade:

1. Santa Fe Railway (Redondo branch) immediately west of the intersection of Fruitland Avenue and Malabar Street.
2. Los Angeles Railway (Huntington Park line) at the intersection of Fruitland Avenue and Pacific Boulevard.
3. Santa Fe Railway (spur track) on Forty-sixth Street at a point about 1100 feet east of Pacific Boulevard.
4. Salt Lake Railroad (Vernon spur) at a point 280 feet south of Vernon Avenue and about 2000 feet west of Boyle Avenue.
5. Salt Lake Railroad (San Pedro branch) immediately east of Downey Road at a point 280 feet south of Vernon Avenue.

At the hearing on April 15th the Commission indicated that it desired to give careful consideration to the possibility of some other connection between the tracks of the Junction Railway and the Southern Pacific's line which would afford reasonable access to the said transfer tracks to be constructed by applicant, and at the same time involve less public hazard than would be incident to the construction of the proposed line. It was suggested that consideration be given the possibility of constructing a connection between the Junction Railway's tracks and the Southern Pacific's Santa Ana branch by extending applicant's existing track in a southerly direction immediately west of the Los Angeles River.

Application No. 1478 was a proceeding filed with the Commission January 2, 1915, by Southern Pacific Company, wherein authority was sought to construct a spur track at grade across Santa Fe and Fruitland Avenues and across the tracks of the Los Angeles Railway in the City of Vernon. On January 18, 1915, the Commission made its order (Decision No. 2084), granting permission to construct said spur track. It is this track of the Southern Pacific with which the Junction Railway, in Application No. 10649, proposes to connect at Fruitland and Santa Fe Avenues.

At the hearing May 6th applicant, in Application No.

10649, asked for a preliminary order granting authority to construct that portion of its proposed line from a connection to its existing track system to the north line of Fruitland Avenue, pending the final determination of the original application. The testimony shows there are some enterprises which desire to build industries along this portion of the line as soon as railroad service is assured, and that the Company has the material on hand to build the line and desires to do so as soon as permission can be had. This portion of the line would involve crossing Forty-sixth Street, Boyle Avenue, Magnolia Avenue and Downey Road, and also Santa Fe Railway (spur on Forty-sixth Street), Salt Lake Railroad (Vernon Spur) and Salt Lake Railroad (San Pedro branch), all referred to above.

Applicant stated that notwithstanding the importance of Downey Road as a highway artery, and the possibility that it might be required to construct its track other than at grade at the present or some future time, and the further possibility that the Commission might deny authority to construct the various proposed grade crossings on Fruitland Avenue, thereby preventing a connection with Southern Pacific's track by this route, it still would desire to proceed with the construction of that portion of the proposed track between a connection to its tracks east of Downey Road and the north line of Fruitland Avenue as soon as authority were granted.

Los Angeles County's Exhibit No. 1 is a map prepared by the County Regional Planning Commission showing the existing and proposed major highways serving the Vernon district and general vicinity of the City of Los Angeles. This map shows that Downey Road is now an important highway artery and future highway needs will require that its relative importance be maintained.

Los Angeles County's Exhibit No. 2 shows that the average traffic on Downey Road at the point of proposed crossing amounts to nearly 8000 vehicles per day.

The only crossings of importance that would be involved in the construction of that portion of the proposed line north of Fruitland Avenue would be that at Downey Road and the Salt Lake Railroad (San Pedro branch). The public hazard at these crossings would not be as serious if only that portion of the line north of Fruitland Avenue were constructed, thus limiting the operations to switching moves, as it would be if the proposed line were extended to connect with the Southern Pacific's spur at Fruitland and Santa Fe Avenues, since the effect of making the latter connection would change the character of the Junction Railway track from an industrial spur to the equivalent of a branch line railroad.

From the evidence at hand it now appears that public convenience and necessity justify the granting of permission to construct that portion of the proposed line north of Fruitland Avenue as applied for, in a preliminary order, provided adequate protection is afforded at the various grade crossings. It may be that the Commission will, in the future, find that public convenience and necessity require that the grades be separated between Downey Road and the proposed railroad, if constructed as authorized herein. Certainly such an arrangement would be given careful consideration at this time if authority were to be granted for the construction of the entire proposed line.

Testimony presented by Southern Pacific at the hearing held May 6th shows that after a careful study, the Company decided the most practical and economical method of obtaining a connection to the said Central Manufacturing District was by way of Fruitland Avenue, as proposed in Application No. 10649. Although the Southern

Pacific Company now has joint use of track on the Salt Lake Railroad's line on the east bank of the Los Angeles River between Alhambra Avenue and Butte Street, a distance of about 2-3/4 miles, the Southern Pacific has not heretofore attempted to obtain running rights over the Salt Lake Railroad's line from Butte Street to applicant's track system, which would involve extending the present joint track operation of these two companies an additional distance of about 1-3/4 miles. The testimony shows that the approximate distance between the transfer tracks of the Southern Pacific and Salt Lake Railroad east of the Los Angeles River near Alhambra Avenue and the said transfer tracks to be built at Los Angeles Union Stock Yards by way of the Salt Lake Railroad, is 4 1/2 miles, while the distance between these two points by way of the proposed Fruitland Avenue line would be 7-3/4 miles, and by way of a connection to Southern Pacific (Santa Ana line) would be 15-1/4 miles.

Counsel for the Salt Lake Company stated that although his Company did not look with favor upon extending to Southern Pacific running rights over that portion of its line between Butte Street and the said Stock Yards, perhaps some acceptable plan could be worked out for such an arrangement. It appears to the Commission that a plan whereby the Southern Pacific will have running rights over the Salt Lake Railroad's line between Butte Street and a connection to applicant's track system, would provide the most favorable connection between the Southern Pacific and applicant's present track system of any of the routes now under consideration, in that this route would be more direct and at the same time would not create any additional grade crossings of highways and railroads. The superiority of this route becomes more apparent when the important use of the connection to deliver live stock to the stock yards is considered, together with the fact that substantially more than half of all the live stock delivered to the stock yards reaches



Los Angeles on the rails of the Southern Pacific.

Furthermore, connecting the Junction Railway through Fruitland Avenue to the Southern Pacific will not only involve the construction of the track over the important traffic artery of Pacific Avenue's double track line of the Los Angeles Railway and the Harbor Branch of the Santa Fe, but it would materially increase the hazard and delay at the existing grade crossing of the Southern Pacific's spur track over Santa Fe Avenue and the tracks of the Los Angeles Railway. The routing of Southern Pacific trains, through this connection, would also materially increase the hazard and delay at the proposed crossing of the Junction Railway's track over Downey Road and the Harbor Branch of the Salt Lake Railroad.

The necessity of providing access for the Southern Pacific Company to reach the interchange yard of the Junction Railway is not questioned. When there is a choice for this access as between a route which is short, direct and with only one grade crossing, for which negotiations for elimination are already under way and another route which is circuitous and involves hazard at several important grade crossings, both of highways and railroads, there can be no other conclusion reached but that the first described route should be used. It is therefore expected that the Southern Pacific will make an earnest effort to secure from the Salt Lake Railroad a satisfactory agreement in this matter.

The denial of that portion of the application providing for a connection to the Southern Pacific at Fruitland Avenue will be without prejudice to the applicant at a later time coming before this Commission for a renewal of its request, should the negotiations between the Southern Pacific and the Salt Lake Railroad fail in a successful culmination, and the determination will not be made at this time whether or not grade separations would be required at Santa Fe Avenue, Pacific Avenue and Downey Road, should that con-

nection ultimately be permitted.

The proper protection to be provided at each of the grade crossings of public highways and railroads involved in that portion of the proposed line north of the north line of Fruitland Avenue will now be discussed in detail.

Applicant has entered into certain agreements with each of the other railroads affected governing the construction, maintenance and operation of the various railroad grade crossings involved herein. These agreements provide that the respective crossings shall be built and maintained at the sole expense of the Junction Railway, and in the event of an interlocking switch and signal system is required at any of the respective grade crossings proposed herein, either by the railroad affected or by the Railroad Commission of the State of California, or any other competent governmental authority, such interlocking switch and signal system shall be installed at the sole expense of the Junction Railway and the maintenance thereafter shall be borne equally by applicant herein and the respective railroad affected.

Forty-sixth Street Crossing at a point about 1100 feet east of Pacific Boulevard:

Forty-sixth Street is not improved at this time, the only traffic on it at present being that to and from the Santa Fe Railway spur line on Forty-sixth Street, which is used as a team track. The standard crossing sign appears adequate for the protection of this crossing for the present.

Crossings at Boyle Avenue and Magnolia Avenue, respectively:

The physical conditions which affect public hazard at each of these crossings appear, for all practical purposes, to be similar. Each street has a dirt roadway and carries only a small volume of local vehicular traffic. The view at each crossing is fairly good at this time. The proposed line is immediately north

of the Salt Lake Railroad's so-called "Vernon Spur". Any protection provided here should affect the Salt Lake Railroad's line as well as that of applicant. Under the conditions it appears that the usual crossing sign would be adequate for the present.

Downey Road Crossing:

Downey Road is an important paved county road, which, as shown above, carries a substantial volume of vehicular traffic, and its importance will undoubtedly increase in the future. The view at this crossing is fairly good at present. It would seem that as long as trains on applicant's track stop and flag over the Salt Lake Railroad's line, as hereinafter provided, no special protective device need be installed to protect the vehicular traffic on Downey Road, as train movements over this highway would undoubtedly be at slow rates of speed. However, after the railroad crossing is protected by an interlocking system, applicant should install an automatic flagman for the protection of the Downey Road crossing.

Santa Fe Railway (Spur Track on Forty-sixth Street):

This is a rather unimportant spur track of the Santa Fe Railway which is now being used only as a team track in the vicinity of the proposed crossing. At one time this spur track served the General Petroleum Company's property south of Vernon Avenue and west of Boyle Avenue. This property, however, has been converted into a tank farm operated by pipe line connections and requires no further railroad service. Inasmuch as this spur track is used but very little beyond the point of the proposed crossing, it appears that the installation of a derail on the Santa Fe Railway's line immediately west of the crossing will provide adequate protection.

Salt Lake Railroad (Vernon Spur):

This crossing is over the Salt Lake Railroad's so-called

"Vernon spur" at a point approximately 2000 feet west of Boyle Avenue. It appears that the train movements on each of the railroads involved will be infrequent and at slow rates of speed at this point. The view, however, is seriously impaired by buildings. It appears that the proper regulation to prescribe for the protection of this grade crossing is to require all trains on each line to stop before passing over the crossing.

Salt Lake Railroad (San Pedro Branch):

This crossing involves the Salt Lake Railroad's branch line to the harbor, over which there are normally six passenger trains and six freight trains operated per day. It is estimated that these passenger trains travel at a maximum rate of about twenty miles per hour in the vicinity of the proposed crossing. This crossing should ultimately be protected by a first-class interlocking plant and pending the installation of such interlocker protection, all trains on applicant's line should be required to stop and flag over the crossing, and the speed of the trains of the Salt Lake Railroad should be restricted to a maximum of ten (10) miles per hour. The most practical way of providing interlocking protection here awaits the final determination of certain modifications in the system of tracks adjacent to the proposed crossing. There is some question as to whether it would be more practical to protect this crossing by remote control from the Hobart tower, located about 2400 feet to the north, after it is electrified, or to construct an independent interlocker to control only the tracks in the immediate vicinity.

After a consideration of all of the evidence at hand it appears that public convenience and necessity do not justify the granting of the authority applied for to construct the proposed crossings on Fruitland Avenue, as there appears to be a more

practical way for the Southern Pacific Company to gain access to applicant's track system, provided it can obtain joint track rights from the Salt Lake Railroad, as discussed above, under reasonable terms.

Referring to Application No. 1478, the evidence shows that during the past six months the average shipments from the industry located at the northeast corner of Santa Fe and Fruitland Avenues, which is served by the spur track authorized by the Commission's Decision No. 2084 in Application No. 1478, referred to above, has amounted to 22 carloads per month. It now appears that if this railroad traffic does not increase, there is no necessity at this time to modify the Commission's order in the matter. The order reopening this proceeding should therefore be dismissed.

The following form of order is recommended:

### O R D E R

Los Angeles Junction Railway Company having applied to the Railroad Commission for permission to construct and operate its railroad at grade across certain public highways and railroads and a street railroad in, and in the vicinity of, the City of Vernon, Los Angeles County, California, public hearings having been held, the Commission being now fully advised and ready to issue its order,

IT IS HEREBY FOUND AS A FACT that public convenience and necessity require the construction and operation of a railroad to be operated as an industrial switching belt line from a connection to applicant's existing track system east of Downey Road and south of the Los Angeles River, to the north line of Fruitland Avenue along the line proposed in this application; therefore,

IT IS HEREBY ORDERED that the Los Angeles Junction Rail-

way be and it is hereby authorized to construct its track at grade across the following highways:

1. Forty-sixth Street at a point about 1100 feet east of Pacific Boulevard.
2. Boyle Avenue at a point 280 feet south of Vernon Avenue.
3. Magnolia Avenue at a point 280 feet south of Vernon Avenue.
4. Downey Road at a point 280 feet south of Vernon Avenue.

the first three named highways being in the City of Vernon and the fourth in the unincorporated portion of the County of Los Angeles, all as shown on the map accompanying the application; said crossings to be constructed subject to the following conditions, namely:

(1) The entire expense of constructing the crossings, together with the cost of their maintenance thereafter in good and first-class condition for the safe and convenient use of the public, shall be borne by applicant.

(2) Said crossings shall be constructed of a width and type of construction to conform to those portions of said streets now graded, with the tops of rails flush with the pavement, and with grades of approach not exceeding four (4) per cent; shall be protected by suitable crossing signs, and shall in every way be made safe for the passage thereover of vehicles and other road traffic.

(3) If and when an interlocking plant is installed for the protection of the grade crossings of applicant's line and that of the Salt Lake Railroad (San Pedro branch), applicant shall install an automatic flagman for the protection of said crossing of Downey Road. Said automatic flagman shall be installed and maintained at the sole expense of applicant, and shall be of a type and installed in accordance with plans or data approved by this Commission. Pending the time said automatic flagman is installed, a member of the train crew shall precede the trains over this

crossing for the purpose of warning approaching highway traffic.

IT IS HEREBY FURTHER ORDERED that the Los Angeles Junction Railway Company be and it is hereby authorized to construct its track at grade across the following railroads in, or in the vicinity of, the City of Vernon, Los Angeles County, California:

Crossing No. 1: Santa Fe Railway (spur track on Forty-sixth Street) at a point about 1100 feet east of Pacific Boulevard.

Crossing No. 2: Salt Lake Railroad (Vernon spur) at a point 280 feet south of Vernon Avenue and about 2000 feet west of Boyle Avenue.

Crossing No. 3: Salt Lake Railroad (San Pedro branch) on Downey Road at a point 280 feet south of Vernon Avenue,

all as shown on the map attached to the application; said grade crossings to be constructed subject to the following conditions, viz:

(1) The entire expense of constructing the crossings, together with the cost of their maintenance thereafter in good and first-class condition for the safe and convenient use of the public, shall be borne by applicant.

(2) Said crossings shall be protected as follows:

Crossing No. 1: A derail shall be installed at the expense of applicant on the Santa Fe Railway's spur line at least 100 feet west of said crossing. Said derail shall be maintained at the expense of applicant.

Crossing No. 2: All trains, motors, engines or cars, both on applicant's line and the Salt Lake Railroad, shall come to a stop and not proceed over the crossing until it is ascertained that it is safe so to do.

Crossing No. 3: This crossing shall be protected by a first-class interlocking plant, and until such interlocking plant is installed, all trains, motors, engines and cars on applicant's line shall be brought to a stop before crossing the tracks of the

Salt Lake Railroad and not proceed thereover until the conductor or other competent employee has gone upon the crossing to ascertain if it is safe to cross; and all trains, motors, engines and cars on the said Salt Lake Railroad shall proceed over said crossing at a rate of speed not in excess of ten (10) miles per hour. If and when an interlocking plant is installed it shall be at the sole expense of applicant in accordance with detailed plans which shall be submitted to and have the approval of this Commission. The maintenance of said interlocking plant shall be borne one-half by applicant and one-half by the Salt Lake Railroad.

IT IS HEREBY FURTHER ORDERED that the authority herein granted to the Los Angeles Junction Railway Company is subject to the following conditions, viz:

(1) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of each and all of said crossings authorized herein.

(2) If said crossings, or any of them, shall not have been installed within one year from the date of this order, the authorization herein granted shall then lapse and become void, unless further time is granted by subsequent order.

(3) The Commission reserves the right to make such further orders relative to the location, construction, operation, maintenance and protection of said crossings authorized herein, as to it may seem right and proper, and to revoke its permission, if in its judgment, the public convenience and necessity demand such action.

IT IS HEREBY FURTHER ORDERED that the portion of Application No. 10649 wherein permission is sought to construct certain grade crossings on and along Fruitland Avenue, be and it is hereby denied without prejudice.



IT IS HEREBY FURTHER ORDERED that the order reopening for hearing and further determination, the above entitled Application No. 1478, be and it is hereby dismissed, and that the prior order of the Commission (Decision No. 2084) be and it is hereby affirmed.

For all other purposes the effective date of this order shall be twenty (20) days from and after the date hereof.

The foregoing Opinion and Order are hereby approved and ordered filed as the Opinion and Order of the Railroad Commission of the State of California.

Dated at San Francisco, California, this 30<sup>th</sup> day of June, 1925.

H. B. Brundage  
C. Seavey  
Ernest Shore  
George D. Squires  
Ernest Scott  
Commissioners.